

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

In re Organogenesis Sec. Litig.

No. 04-10027-JLT

**ASSENTED-TO MOTION FOR LEAVE TO FILE  
MEMORANDUM IN EXCESS OF TWENTY PAGES**

Defendants Alan Ades, John J. Arcari, Albert Erani, Philip Laughlin, Donna Abelli Lopolito, Michael Sabolinski and Alan Tuck ("Defendants") move for leave to file a 50-page memorandum of law in support of their Motion to Dismiss the Corrected Consolidated Amended Class Action Complaint, which exceeds the twenty page limit set forth in Local Rule 7.1(b)(4).

As grounds for this motion, Defendants respectfully submit that the 116-page Corrected Consolidated Amended Class Action Complaint asserts claims against each of them related to 39 public disclosures over a 26-month putative class period, and that a longer brief is necessary because First Circuit courts analyze securities fraud complaints on a statement-by-statement basis with respect to each defendant who is alleged to be liable for those statements.

Defendants also submit that their 50-page brief is reasonable because under the Local Rules each of the seven individuals would each be entitled to file their own 20-page memorandum.

Pursuant to Local Rule 7.1(a)(2), counsel has conferred with Plaintiffs' counsel, who assents to the relief sought in this motion. Defendants will assent to Plaintiffs filing a memorandum of equal length in opposition to the Motion to Dismiss.

Wherefore, the undersigned defendants request that the Court allow Defendants to file a 50- page memorandum of law in support their motion to dismiss and allow Plaintiffs to file a memorandum of equal length in opposition.

ALAN ADES, JOHN J. ARCARI,  
ALBERT ERANI, PHILIP LAUGHLIN,  
DONNA ABELLI LOPOLITO, MICHAEL  
SABOLINSKI AND ALAN TUCK

Respectfully Submitted,



Jeffrey B. Rudman (BBO #433380)  
Jonathan A. Shapiro (BBO #567838)  
Daniel H. Gold (BBO #654909)  
Wilmer Cutler Pickering Hale and Dorr LLP  
60 State Street  
Boston, Massachusetts 02109  
(617) 526-6000  
(617) 526-5000 (facsimile)

Dated: January 14, 2005

SO ORDERED:

Dated: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Joseph L. Tauro  
United States District Judge